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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 UNITED STATES OF AMERICA, )

8 Plaintiff, )

9 v. )

10 JOSHUA LEE YEOMAN, )

11 Defendant. )

Case No. CR04-415 JCC

**PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO ALLEGED  
VIOLATIONS OF SUPERVISED  
RELEASE**

12 INTRODUCTION

13 I conducted a hearing on alleged violations of supervised release in this case on August 19,  
14 2008. The defendant appeared pursuant to a summons. The United States was represented by  
15 Ron Friedman, and defendant was represented by Thomas Hillier, III. Also present was U.S.  
16 Probation Officer Michael S. Larsen. The proceedings were digitally recorded.

17 CONVICTION AND SENTENCE

18 Defendant was sentenced on October 28, 2005 for conspiracy to distribute cocaine. He  
19 received 24 months of imprisonment and five years of supervised release. Defendant began his  
20 term of supervised release on August 17, 2007.

21 PRESENTLY ALLEGED VIOLATIONS AND  
22 DEFENDANT'S ADMISSION OF THE VIOLATIONS

23 In a petition dated June 26, 2008, Supervising U.S. Probation Officer Michael S. Larsen

1 alleged that defendant violated the following conditions of supervised release:

2 1. Using marijuana on or before February 4, and 27, 2008, on or before May 29, 2008, and  
3 on or before June 5, 2008, in violation of standard condition number seven.

4 2. Failing to report for drug testing as directed to by the probation officer on May, 6, 2008,  
5 and June 13, and 16, 2008, in violation of the general condition that he submit to to drug testing  
6 as directed by the probation officer.

7 Defendant admitted the above violations, waived any hearing as to whether they occurred,  
8 and was informed that the matter would be set for a disposition hearing before District Judge  
9 John C. Coughenour.

10 RECOMMENDED FINDINGS AND CONCLUSIONS

11 Based upon the foregoing, I recommend the Court find that defendant has violated the  
12 conditions of his supervised release as alleged above, and conduct a disposition hearing. No  
13 request for detention was made and defendant remains in the community subject to all previously  
14 ordered conditions of supervision.

15 DATED this 19<sup>th</sup> day of August, 2008.

16  
17 s/ BRIAN A. TSUCHIDA  
18 BRIAN A. TSUCHIDA  
19 United States Magistrate Judge  
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